



ATTORNEY DOCKET NO.: BAL-99A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Barry J. Marshall, et al.)	EXAMINER: Unknown
)	
Serial No.: 09/977,555)	Art Unit: 3736
)	
Filed: October 15, 2001)	Confirmation No. 1969
)	
For: Method For The Detection Of Urease And)	Our Account No. 04-1403
Method For Using Same)	

Letter

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

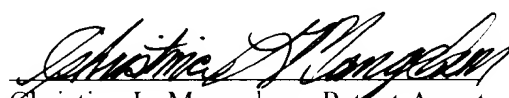
Sir:

The attached Information Disclosure Statement includes five references, French Patents 5.877M and 2442268, German Patent No. 867426, Japanese Patent No. 58077663, and European Patent No. 0721989, for which no English translations are within the possession, custody, or control of, or are readily available to any individual designated to C.F.R. §1.56(c). It is respectfully submitted that the relevance of these references to the present application may be understood from the figures included in the references. In addition, English translations of the Abstract of German Patent No. 867426 and Japanese Patent No. 58077663 have been obtained, copies of which are included in the accompanying Information Disclosure Statement.

Respectfully submitted,

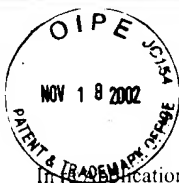
DORITY & MANNING, P.A.

11/13/02
Date


Christina L. Mangelsen, Patent Agent
Reg. No. 50,244
P.O. Box 1449
Greenville, SC 29602-1449
(864) 271-1592
FAX (864) 233-7342

RECEIVED
NOV 22 2002
TECH CENTER 1600/2900

RECEIVED
NOV 20 2002
TECHNOLOGY CENTER R3706
NOV 20 2002
TECHNOLOGY CENTER R3706



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

3736

INFORMATION DISCLOSURE STATEMENT

Inventor: Barry J. Marshall, et al.

Attorney Docket No.: BAL-99A (16843A)

Serial No.: 09/977,555

Date: November 13, 2002

Filed: October 15, 2001

Art Unit: 3736 1651

Confirmation No.: 1969

Our Account No.: 04-1403

Title: Method for the Detection of Urease and Method for Using Same

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

The following is an Information Disclosure Statement for the captioned patent application, pursuant to 37 C.F.R. Sections 1.56, 1.97, and 1.98.

1.[X] Attached hereto is:

- a.[X] A list of materials for consideration per Rule 98(a)(1): 3 page(s)
- b.[X] A legible copy of each patent, publication, or other item listed per Rule 98(1)(2), unless not required per Rule 98(c) and/or (d) and as indicated on the attached list(s):
94 item(s)
- c.[] For each non-English language item listed, pursuant to Rule 98(a)(3), a concise explanation of the relevance thereof as it is presently understood by the individual designated in Rule 56(c) most knowledgeable about the content of such items: _____
- [] Such explanation is provided in the Search Report from a corresponding application enclosed herewith along with any enclosed translation into English.

2.[X] This Information Disclosure Statement is being filed [CHECK ONE]:

- a.[X] WITHIN THREE MONTHS of the application filing date or national stage date of entry OR BEFORE the mailing date of a first Office Action on the merits, whichever event occurs last, WHEREFORE per Rule 97(b) NO filing fee or Rule 97(e) certificate is required.
- b.[] AFTER the time periods of section 2.a above, but BEFORE a Final Action, Notice of Allowance OR an action that otherwise closes prosecution, WHEREFORE PER Rule 97(c) submitted herewith is [CHECK ONE]:
- i.[] Certification per Rule 97(e), OR
- ii.[] Filing Fee per Rule 17(p)\$180.00
- c.[] AFTER a Final Action OR Notice of Allowance, but BEFORE payment of the issue fee, WHEREFORE per Rule 97(d) submitted herewith is:
- i. Certification per Rule 97(e), AND
- ii. Filing fee per Rule 17(p)\$180.00

3.[] Rule 97(e) Certification; per Rule 97(e), the undersigned certifying party make the following certification statement [CHECK ONE]:

- a.[] That each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; OR
- b.[] That no item of information contained in this Information Disclosure Statement was first cited in a foreign patent office in a counterpart foreign application and to the knowledge of the undersigned after making a reasonable inquiry, was known to any individual designated in Rule 56(c) more than three months prior to the filing of this statement.

CERTIFYING PARTY (if different from bottom signature; omission here indicates that certification is being made by signer per signature below).

Name: _____ Signature: _____
Address: _____ Date: _____

4.[X] DEPOSIT ACCOUNT AUTHORIZATION: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any fees in addition to the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (deficiency only) now or hereafter relative to this application and the resulting official document under Rule 20, or credit any overpayment, to our Account No. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This statement does not authorize charge of the issue fee in this case.


5.[X] CERTIFICATE OF MAILING: This Information Disclosure Statement is being filed pursuant to [CHECK AND COMPLETE ONE]:

a.[X] First Class Mail Certificate of Mailing under Rule 8:

I hereby certify that this correspondence and any referenced attachment and/or fee are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, on November 13, 2002.

Sandra S. Perkins

(Typed/printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

b.[X] "Express Mail" Certificate under Rule 10:

"Express Mail" - Label No. _____

Date of Deposit _____

I hereby certify that this paper and all attachments and any fee are being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patent, U.S. Patent and Trademark Office, Washington, D.C. 20231.

(Typed/printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

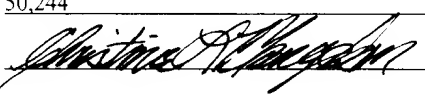
ADDRESS:

Post Office Box 1449
Greenville, South Carolina 29602
Telephone: 864-271-1592
Facsimile: 864-233-7342

DORITY & MANNING, P.A.

By Christina L Mangelsen, Patent Agent

Reg. No.: 50,244

Signature: 

Date: November 13, 2002